



**CITY OF CENTERTON
CITY COUNCIL MEETING
APRIL 10, 2018**

The City Council was called to order at 6:00 p.m. by Mayor, Bill Edwards. The Pledge of Allegiance was recited. The prayer was offered by Todd Wright. Those Present and answering roll call were Mayor Bill Edwards, Keith Higginbotham, Wayne Low, Darren Warren, Misty Elam, Robin Reed and Josie Reed. Those present and not answering roll call were City Clerk Todd Wright, Financial Director Pam Grant, City Attorney Brian Rabal, Director of Public Works Rick Hudson, Police Chief Cody Harper, Fire Chief Delton Bush, Planning Coordinator Larry Wilms, Water & Sewer Superintendent Frank Holzkamper, Animal Control Supervisor Terry Sanchez, Chief Building Inspector Robert Coffelt, Planning Coordinator Larry Wilms and City Planner Nicole Gibbs. Anna Keogh, with CEI, was also present.

- (1) Council Minutes-** Robin Reed made a motion to approve the March 13th, 2018 City Council minutes, with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

- (2) Planning, Board of Zoning Adjustments, Water & Sewer and Parks and Recreation Minutes-** Robin Reed made a motion to acknowledge receipt of the Minutes of the February 27th, 2018 Planning Commission meeting, February 27th, 2018 Board of Zoning Adjustment meeting, February 20th, 2018 CWSD meeting and November 30th, 2017, January 9th, 2018 and February 12th, 2018 Parks and Recreation meetings, with a 2nd from Wayne Low. All council members voted in favor and the motion carried.

- (3) City and Court Financials-** Mayor Edwards stated that 25%% through the year we have received 25.57% of our budgeted Revenue. He stated that our expenditures were at 25.92%. Edwards highlighted some of the financials for the Council. He pointed out that we had to pay the \$300,000.00 up front for the Animal Shelter expansion, and the City of Bentonville will reimburse us within 30 days of completion. Edwards said it was getting close to completion. Wayne

Low made a motion to accept the March, 2018 City and Court Financials, with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- (4) **Department Reports- Building Inspection-** Robert Coffelt's report was in the council member's Dropbox packets. **Planning-** Lorene Burns' Planning Project Status Report was in the council member's Dropbox packets. **Police-** Cody Harper's report was in the council member's Dropbox packets. **Streets / Parks & Rec-** Rick Hudson's reports were in the council member's Dropbox packets. **Fire-** Delton Bush's report was in the council member's Dropbox packets. **Water & Sewer-** Frank Holzkamper's report was in the council member's Dropbox packets. **Animal Control-** Terry Sanchez's report was in the council member's Dropbox packets.

Robin Reed asked Police Chief Cody Harper how many outstanding warrants the PD had, and if there were certain officers that worked those warrants. Chief Harper said he didn't have a hard number, but it was roughly \$1,000,000.00 and it goes back forever in time. He said that the officers get a Warrants List every month and make contacts on a shift basis, when not on other calls. Robin Reed complimented the PD for the work the K-9 was doing. Josie Reed complimented Harper on getting the Grant for technology for the PD.

(5) **Ordinances-**

- **Ordinance 2018-12- AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE 7.44.1 TITLED PROHIBITED ACTS**

Mayor Edwards addressed the Council, stating that this ordinance is to amend the section of the Noise Ordinance that says "Jake Brakes" to say "Engine Brakes"..

Mayor Edwards asked the Council if there were any questions. There were none.

Keith Higginbotham made a motion to read the ordinance by title only, with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Brian Rabal read the ordinance by title only. Robin Reed made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried. Wayne Low made a motion to adopt the ordinance with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- **Ordinance 2018-20- AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO SCHUBER MITCHELL HOMES LLC; TO THE CITY OF CENTERTON, ARKANSAS; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; AND ASSIGNING SAME TO WARD 1.**

Mayor Edwards addressed the Council, stating that this ordinance is to accept the annexation of certain lands belonging to Schuber Mitchell Homes, along Hwy 72. He said everything has been approved by Benton County and will be filed with the Secretary of State.

Mayor Edwards asked the Council if there were any questions. There were none.

Robin Reed made a motion to read the ordinance by title only, with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Brian Rabal read the ordinance by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Wayne Low. All council members voted in favor and the motion carried. Robin Reed made a motion to adopt the ordinance with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- **Ordinance 2018-13- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS BELONGING TO SCHUBER MITCHELL HOMES; FROM AGRICULTURAL (A-1) TO SINGLE FAMILY RESIDENTIAL (R-2).**

Mayor Edwards addressed the Council, stating that this ordinance is to rezone certain lands along Hwy 72, which have been annexed into the city. Edwards said there was a Public Hearing and it was approved by the Planning Commission on 3/27/18.

Mayor Edwards asked the Council if there were any questions. There were none.

Keith Higginbotham made a motion to read the ordinance by title only, with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Brian Rabal read the ordinance by title only. Wayne Low made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- **Ordinance 2018-14- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS BELONGING TO STEELE DEVELOPMENT, INC.; FROM AGRICULTURAL (A-1) TO HIGH DENSITY RESIDENTIAL (R-3 SF).**

Mayor Edwards addressed the Council, stating that this ordinance is to rezone certain lands belonging to Steele Development, Inc. Edwards said there was a Public Hearing and it was approved by the Planning Commission on 3/27/18.

Mayor Edwards asked the Council if there were any questions. There were none.

Josie Reed made a motion to read the ordinance by title only, with a 2nd from Darren Warren. All council members voted in favor and the motion carried. Brian Rabal read the ordinance by title only. Wayne Low made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- **Ordinance 2018-15- AN ORDINANCE AMMENDING CHAPTER 16.12 STORMWATER POLLUTION PREVENTION OF THE CITY OF CENTERTON MUNICIPAL CODE.**

Mayor Edwards addressed the Council, stating that this ordinance is to amend the Stormwater Pollution Prevention Municipal Code, to meet MS4 requirements.

Mayor Edwards asked the Council if there were any questions. There were none.

Robin Reed made a motion to read the ordinance by title only, with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Brian Rabal read the ordinance by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Wayne Low. All council members voted in favor and the motion carried. Wayne Low made a motion to adopt the ordinance with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

- **Ordinance 2018-16- AN ORDINANCE ACCEPTING THE FINAL SUBDIVISION PLAT OF BLISS MEADOWS, LOTS 1-50 & TRACT A, CITY OFCENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this ordinance is to accept the Final Plat of the Bliss Meadows Subdivision. Edwards said it was approved by the Planning Commission on 3/27/18.

Mayor Edwards asked the Council if there were any questions. There were none.

Robin Reed made a motion to read the ordinance by title only, with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Brian Rabal read the ordinance by title only. Wayne Low made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Misty Elam. All council members voted in favor and the motion carried. Josie Reed made a motion to adopt the ordinance with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

- **Ordinance 2018-17- AN ORDINANCE ACCEPTING THE FINAL SUBDIVISION PLAT OF MORNINGSIDE PHASE II, LOTS 110-167 AND TRACTS A, B, C, & D, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this ordinance is to accept the Final Plat of Phase II of the Morningside Subdivision. Edwards said it was approved by the Planning Commission on 4/9/18.

Mayor Edwards asked the Council if there were any questions. There were none.

Robin Reed made a motion to read the ordinance by title only, with a 2nd from Misty Elam. All council members voted in favor and the motion carried. Brian Rabal read the ordinance by title only. Wayne Low made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- **Ordinance 2018-18- AN ORDINANCE ACCEPTING THE FINAL SUBDIVISION PLAT OF CLARK ESTATES, LOTS 1-57 & TRACTS A, B, C, D, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this ordinance is to accept the Final Plat of the Clark Estates Subdivision. Edwards said it was approved by the Planning Commission on 4/9/18.

Mayor Edwards asked the Council if there were any questions. There were none.

Josie Reed made a motion to read the ordinance by title only, with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried. Brian Rabal read the ordinance by title only. Wayne Low made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Misty Elam. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

- **Ordinance 2018-21- AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO HOMES OF DISTINCTION, INC, DAVID AND HEIDI KINNEY, JSN PROPERTIES OF NORTHWEST ARKANSAS, LLC, ROBERT AND CATHY WALKER, KOA LLC, AND BEHROAK LLC; TO THE CITY OF CENTERTON, ARKANSAS; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; AND ASSIGNING SAME TO WARD 1.**

Mayor Edwards addressed the Council, stating that this ordinance is to accept the annexation of the West End Subdivision. Edwards said it has been approved by Benton County and will be sent to the Secretary of State.

Mayor Edwards asked the Council if there were any questions. There were none.

Robin Reed made a motion to read the ordinance by title only, with a 2nd from Wayne Low. All council members voted in favor and the motion carried. Brian Rabal read the ordinance by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Wayne Low made a motion to adopt the ordinance with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

(6) Resolutions-

- **Resolution 2018-09- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY AN AGREEMENT WITH CEI ENGINEERS, INC. FOR**

MAIN STREET FLOODPLAIN IMPROVEMENT SERVICES AND DOWNTOWN FLOOD STUDY FOR THE CITY OF CENTERTON, ARKANSAS.

Mayor Edwards addressed the Council and explained the need for this resolution to approve an agreement with CEI for floodplain improvement services for South Main Street as well as Downtown. Edwards said that we have had developers interested in building Subdivisions on South Main Street and we would like to do a study to see if there is anything the city can do to improve the drainage in this area of our city, to reduce the flood zone and allow for future development. Edwards said that he and Lorene Burns and CEI have had discussions and would like to include the downtown area of the city in the study, as well. Anna Keogh, with CEI, was present to answer any questions. She said these requests have been brought to CEI as 2 separate projects on 2 different creeks. Keogh gave details on the studies. Rick Hudson addressed the council and gave details on the flooding on South Main Street. Mayor Edwards said the Street portion of the study would be absorbed by the Street budget and Phase 1 of the Flood Study for Downtown will be included when we amend the City Budget mid-year. He said we will look at this after Phase 1, to see if it would be cost effective to study any further. There was discussion.

Mayor Edwards asked the Council if there were any questions. There were none.

Robin Reed made a motion to read the resolution by title only with a 2nd from Wayne Low. All council members voted in favor and the motion carried. Brian Rabal read the resolution by title only. Robin Reed made a motion to adopt the resolution with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- **Resolution 2018-10- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH JD DIRT WORK, SULPHUR SPRINGS, ARKANSAS FOR PRECISION BULLDOZER GRADING FOR THE CITY OF CENTERTON, KINYON SPORTS COMPLEX.**

Mayor Edwards addressed the Council and explained the need for this resolution to enter into a contract for dirt work at the Kinyon Sports Complex.

Mayor Edwards asked the Council if there were any questions. There were none.

Robin Reed made a motion to read the resolution by title only with a 2nd from Misty Elam. All council members voted in favor and the motion carried. Brian Rabal read the resolution by title only. Robin Reed made a

motion to adopt the resolution with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

- **Resolution 2018-11- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH DECO CONTRACTORS-PAVING INC., ROGERS, ARKANSAS FOR PAVING BROOKSIDE DRIVE AND KINYON SPORTS COMPLEX.**

Mayor Edwards addressed the Council and explained the need for this resolution to enter into a contract for paving Brookside Drive and the parking area of the Kinyon Sports Complex.

Robin Reed made a motion to read the resolution by title only, with a 2nd from Darren Warren. All council members voted in favor and the motion carried. Brian Rabal read the resolution by title only. Robin Reed made a motion to adopt the resolution, with a 2nd from Wayne Low. All Council members voted in favor and the motion carried.

- (7) Discuss Cost Sharing on Daisy Road with Water and Sewer for Sewer Services-** W&S Superintendent Frank Holzkamper addressed the Council, stating that the W&S Dept. would like to be able to provide wastewater services to the southern end of our city to allow for future development. He said the W&S department is kind of stretched right now, with other projects going on in the city, and asked if the city would be willing to some of that cost. Holzkamper said there is a project coming in, in the south part of town, and he would like to be able to provide sewer for that development. He said W&S will be doing \$100,000.00 worth of gravity work, the developer will do the lift station and all of the development, and asked if the city would be willing to approve the money for the cost of a 4" Force Main Line that would come up Daisy Road and tie in at Kimmel Road. Holzkamper provided a cost estimate from ESI, for the City Council, of \$58,927.00. Holzkamper said this project would not start until the development broke ground, which could be a year from now. There was discussion.

Keith Higginbotham made a motion to approve cost sharing with W&S for the 4" Force Main on Daisy Road, with a 2nd from Robin Reed. All council members voted in favor and the motion carried.

(8) Ozark Regional Transit- Jeff Hatley- Jeff Hatley addressed the Council, giving his periodic report for Ozark Regional Transit.

(9) Request to Replace 2007 Dodge Charger at City Hall- Financial Direct Pam Grant addressed the Council, asking for their permission to surplus the 2007 Dodge Charger, currently being used at City Hall, and also for their approval to purchase a 2018 Nissan Versa for use at City Hall. Grant detailed the need for another reliable vehicle for City Employees, Council and Commission members to be able to use for transportation to meetings, training, etc. Mayor Edwards said the State Bid price is \$13,600.00, but they have one in stock for \$14,200.00. There was discussion.

Keith Higginbotham made a motion to approve the surplus of the 2007 Dodge Charger and the purchase of a 2018 Nissan Versa on State Bid, with a 2nd from Wayne Low. All council members voted in favor and the motion carried.

(10) Annexation Update- Mayor Edwards addressed the Council and gave an update on recent voluntary annexations, as well as those pending and others in discussion. Edwards said that he would continue to update the Council each month.

(11) STIP Projects- Mayor Edwards addressed the Council and gave an update on the Proposed 2021-2022 STIP Projects Report. Edwards said that the widening of Hwy102 from Main Street to Hwy 279 South is listed on the report and is currently planned as being funded by the State, with no matching funds.

(12) Other Business- Linda Norman addressed the Council; expressing concern with the newly raised speed limit on Seba Road to 45 mph. Mrs. Norman was concerned with the High School Students that use that road for Track and Cross Country training. Rick Hudson addressed the Council, detailing the guidelines for speed limits on Collector Roads. Hudson said the immediate plan is to move the initial speed limit sign further west. There was discussion. Council agreed that the speed sled should be placed on that section of Seba Road to gather traffic statistics for review.

(13) Announcements-

- Coffee with the Mayor- 4/21/18 9:00 a.m. at City Hall.

(14) Adjourn-

Josie Reed made a motion to adjourn at 7:39 PM with a 2nd from Wayne Low. All council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk